

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

RECEIVED UNITED STATES DISTRICT COURT
 USDC, WESTERN DISTRICT OF LA
 ROBERT H. SHERWELL, CLERK
 DATE 3.4.08
 68
 for the
 Western District of Louisiana

United States of America)
 v.)
 Anthony Earl Mitchell)
 Case No: 92-60032-001
 USM No: 59994-079
 Date of Previous Judgment: 03/11/1993) Federal Public Defender
 (Use Date of Last Amended Judgment if Applicable)) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 188 (COUNT XIII) months is reduced to 151 months (XIII).

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>36</u>	Amended Offense Level: <u>34</u>
Criminal History Category: <u>I</u>	Criminal History Category: <u>I</u>
Previous Guideline Range: <u>188</u> to <u>235</u> months	Amended Guideline Range: <u>151</u> to <u>188</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Defendant was originally sentenced to 188 months of imprisonment on Count XIII and 60 months on Count XIV (to run consecutively to Ct. XIII). The amended sentence results in a reduction from 188 to 151 months on Count XIII. The 60 month sentence on Count XIV, to run consecutively, remains. The sentence reduction ordered above is subject to the prohibition found in U.S.S.G. 1B1.10(b)(2)(C). A 10 day STAY of this Order is hereby imposed.

Except as provided above, all provisions of the judgment dated 03/11/1993 shall remain in effect.

IT IS SO ORDERED.

Order Date: 03/03/2008

Effective Date: 03/12/2008
 (if different from order date)

Richard T. Haile
 Judge's signature
Richard T. Haile, Sr., CHIEF
 Printed name and title
 JUDGE

COPY SENT
 DATE 3-4-08
 BY GB
 TO USP cc
USMC